



**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**  
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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

patent is sought on the invention entitled DIFFRACTIVE OPTICAL ELEMENT AND OPTICAL SYSTEM HAVING THE SAME

, the specification of which

is attached hereto  was filed on 24/SEP/2001 as United States Appl'n No. or

PCT International Application No. 09/960,283

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b), of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designates at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filed(Day/Mo./Yr.)</u>	<u>Priority Claimed (Yes/No)</u>
Japan	294286/2000(Pat.)	27/SEP/2000	Yes

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>Status</u> (Patented, Pending, Abandoned)
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I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to the address associated with that Customer Number:

**FITZPATRICK, CELLA, HARPER & SCINTO**

Customer Number: 05514

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that Such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor	Takehiko NAKAI
Inventor's signature	<i>Takehiko Nakai</i>
Date	November 29, 2001
Citizen/Subject of	JAPAN
Residence	277-402 Ichinotsubo, Nakahara-ku, Kawasaki-shi, Kanagawa-ken, Japan
Post Office Address	c/o CANON KABUSHIKI KAISHA
	3-30-2 Shimomaruko, Ohta-ku, Tokyo, Japan
Full name of Second Inventor, if any	
Inventor's signature	
Date	
Citizen/Subject of	
Residence	
Post Office Address	
Full name of Third Inventor, if any	
Inventor's signature	
Date	
Citizen/Subject of	
Residence	
Post Office Address	
Full name of Fourth Inventor, if any	
Inventor's signature	
Date	
Citizen/Subject of	
Residence	
Post Office Address	
Full name of Fifth Inventor, if any	
Inventor's signature	
Date	
Citizen/Subject of	
Residence	
Post Office Address	
Full name of Sixth Inventor, if any	
Inventor's signature	
Date	
Citizen/Subject of	
Residence	
Post Office Address	